

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
RUTHBEY PEREZ,

Plaintiff,

ORDER

14 CV 5211 (BMC)(LB)

FILED
IN CLERK'S OFFICE
US DISTRICT COURT
BROOKLYN OFFICE
SEP 12 2014
S

-against-

FRONTIER AIRLINES,

Defendant.

-----X

BLOOM, United States Magistrate Judge:

Plaintiff's application to proceed *in forma pauperis* under 28 U.S.C. § 1915 is hereby granted. The United States Marshals Service is directed to serve the summons and complaint upon the named defendant without prepayment of fees.

Consent for Electronic Service

Plaintiff may choose to receive electronic notification of court issued filings in this civil case. By registering for electronic notification plaintiff will be waiving his/her right to receive service of court issued documents such as notices, decisions, opinions, memoranda & orders, orders, judgments and appeal instructions in paper form by mail. Instead, plaintiff will be sent notices of electronic filing via e-mail. Because plaintiff will be receiving court-issued documents only in electronic form, plaintiff must maintain a valid email address and regularly check his/her email. For more information and for eligibility criteria, please review the enclosed "Instructions for Pro Se Registration and Consent for Electronic Service of Orders and Notices Issued by the Court in Civil Cases." If plaintiff is eligible and wishes to receive electronic notification of court issued documents, plaintiff should complete the attached Registration and Consent form and return the form(s) to the Court.¹

Plaintiff is advised that even if he chooses to receive electronic notifications in this action, plaintiff is still required to advise the Court of any change to his mailing address. Failure to keep the Court informed of his current mailing address may result in dismissal of the case.

Consent to trial and decision on this case by a United States Magistrate Judge

The parties shall advise the Court by signing the enclosed form whether they jointly consent to trial and decision on this case by me, a United States Magistrate Judge, pursuant to 28 U.S.C. § 636(c).² Consent of the parties means that I may conduct all proceedings including trial of this matter

¹ If plaintiff has more than one action pending before the Court, plaintiff must complete a separate Registration and Consent form for each case in which plaintiff wants to receive electronic notifications. Additional copies of the form are available on the Court's website: www.nyed.uscourts.gov/forms/all-forms/prose_forms.

² The parties may receive a similar consent form from the Clerk of Court. Either form may be submitted to the Court.

dm

and the entry of judgment in this case. The parties are free to withhold consent without adverse consequences.

If the parties consent, my decision will be entered as the decision of the Court and an aggrieved party may appeal directly to the United States Court of Appeals to the same extent and subject to the same conditions as if the decision had been rendered by a District Judge. If the parties do not consent to decision by a Magistrate Judge and a dispositive motion is referred, my decision shall be reported as a recommendation to the assigned District Judge.

Any party who disagrees with a Magistrate Judge's report and recommendation must file written objections within fourteen days to preserve their right to appeal. Upon receipt of written objections from a party within fourteen days, the assigned District Judge shall review the proposed recommendations to which the objection is made. The District Judge may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. If a Magistrate Judge's report and recommendation is accepted by the assigned District Judge, the decision shall be entered and an appeal shall lie to the United States Court of Appeals.

This information regarding the availability of a Magistrate Judge to hear the entire case on consent of the parties is not meant to, in any way, interfere with the parties' absolute right to decision by a United States District Judge. This is an option available to the parties which may expedite adjudication of this case and preserve scarce judicial resources. *0* *1*

SO ORDERED.

HUST LOIS BLOOM
LOIS BLOOM
United States Magistrate Judge

Dated: September 11, 2014
Brooklyn, New York

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**Instructions for Pro Se Registration and Consent for Electronic Service
of Orders and Notices Issued by the Court in Civil Cases**

It is now possible for you to receive electronic notification of court issued filings in your civil case(s).

What does electronic notification mean?

By registering for electronic notification you will be **waiving** your right to receive service of court issued documents such as notices, decisions, opinions, memoranda & orders, orders, judgments and appeal instructions **in paper form by mail**.

Instead, you will be sent notices of electronic filing via e-mail. In your email mailbox, the notice will be from "ecf_bounce" and the subject will be "Activity in Case [xx]-cv-[xxx]." Upon receipt of a notice, you will be permitted one "free look" at the document by clicking on the hyperlinked document number, at which time you should **print or save the document** to avoid future charges. **The one 'free look' will expire in 15 days from the date the notice was sent.** After the "free look" is used or expired, the document can be accessed by you through PACER (Public Access to Court Electronic Records) and you may be charged to view the document. It is strongly recommend that you establish a PACER account by visiting the PACER website at www.pacer.gov, so that you can view, print, and download documents at any time for a nominal fee.

Because you will be receiving court-issued documents only in electronic form, you must maintain a valid email address and regularly check your email.

Electronic service does **not** allow you to file documents electronically and does **not** mean that you can serve documents by e-mail to the opposing party. You must continue to file all communications regarding your case in paper copy with the Court and to serve the opposing party. Although you will receive electronic notices of what your adversary(s) files, your adversary must still serve you with a paper copy.

To be eligible you must:

- (1) not be incarcerated;
- (2) have a valid email address; and
- (3) have regular access to a computer.

It is highly recommended that you establish a PACER account.

Electronic notification is not available in social security or immigration cases.

If you are eligible and wish to receive electronic notification of court issued documents complete the Registration and Consent form for each case you want to receive electronic notifications and return the form(s) to the Court. The form is available on the Court's website:

www.nyed.uscourts.gov/forms/all-forms/prose_forms

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

**Pro Se Registration and Consent for Electronic Service of Orders and Notices
Issued by the Court in Civil Cases**

Please register me to receive service of documents and notices of electronic filings to my e-mail address via the Court's electronic filing system (ECF). By registering for electronic service, I affirm that:

- I understand that I **waive** my right to receive service of court issued documents by first class mail and that I will no longer receive paper copies of court issued documents such as notices, decisions, opinions, memoranda & orders, orders, judgments and appeal instructions. **Initial here** _____
- I understand that I will be sent notices of electronic filing via e-mail and upon receipt of a notice, I will be permitted one "free look" at the document by clicking on the hyperlinked document number, at which time I should print or save the document to avoid future charges. **The one 'free look' will expire in 15 days from the date the notice was sent.** After the "free look" is used or expired, the document can be accessed by me through PACER (Public Access to Court Electronic Records) and I may be charged to view the document. **Initial here** _____
- I understand that it is strongly recommended that I establish a PACER account by visiting the PACER website at www.pacer.gov, which account will allow me to view, print, and download documents at any time for a nominal fee. **Initial here** _____
- The email address I provided below is valid and I understand I am responsible for checking it on a regular basis. I will promptly notify the Court if there is any change in my personal data, such as name, address, or e-mail address. **Initial here** _____
- I understand that electronic service does **not** allow me to file documents electronically and does **not** mean that I can serve documents by e-mail to the opposing party. I must continue to file all communications regarding my case in paper copy with the Court and serve the opposing party. **Initial here** _____
- I understand that I must file a consent in each case in which I wish to receive electronic service and that electronic service is not available in Social Security or Immigration cases or for incarcerated litigants. **Initial here** _____

Date: _____

Signature: _____

Case No: _____

Print Full Name: _____

Telephone No.: _____

Email Address: _____

Home Address: _____

Return form to:

U.S.D.C., E.D.N.Y. - Pro Se Dept.

225 Cadman Plaza East or

Brooklyn, NY 11201

100 Federal Plaza

Central Islip, NY 11722

8/2013

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

—X—

—CV— ())

- against -

—X—

CONSENT TO MAGISTRATE JUDGE TRIAL

We hereby consent to have the above-captioned action assigned to a United States Magistrate Judge for all purposes including trial and entry of judgment.

We acknowledge that any appeal from civil cases tried by magistrate judges with the consent of the parties will be heard only in the United States Court of Appeals. 28 U.S.C. § 636(c)(3).

Plaintiff or Counsel for Plaintiff

Defendant or Counsel for Defendant

SO ORDERED.

Brooklyn, New York
Dated: